

June 06 2023 8:30 AM

CONSTANCE R. WHITE
COUNTY CLERK
NO: 23-2-07241-9

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE**

TRINICE NELSON, an individual,

Plaintiff,

vs.

CITY OF TACOMA, a municipality;
TACOMA POLICE DEPARTMENT, a
division of the City of Tacoma; JOHN
DOE, a Tacoma Police Officer; PIERCE
COUNTY, a municipal corporation;
PIERCE COUNTY MEDICAL
EXAMINER'S OFFICE, a division of
Pierce County; DETECTIVE JENNIFER
QUILIO, an employee of the Tacoma
Police Department; and DOES 1-10,
inclusive,

Defendants.

NO.

**COMPLAINT FOR DAMAGES
WITH JURY DEMAND**

COMES NOW, Plaintiff TRINICE NELSON (hereinafter "Ms. Nelson" or "Plaintiff") by
and through her attorney, Vicky J. Currie, alleging as follows:

COMPLAINT FOR DAMAGES - 1

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PARTIES, JURISDICTION, AND VENUE

Ms. Nelson is the mother of Alfred Theophilus "AJ" Nelson Jr. (hereinafter "AJ"), a resident of Tacoma, Washington, and she brings this action on behalf of herself and as the personal representative of AJ's Estate.

The Defendant, CITY OF TACOMA, is a municipal corporation organized and existing under the laws of the State of Washington.

The Defendant, TACOMA POLICE DEPARTMENT, is a division of the City of Tacoma.

The Defendant, JOHN DOE, is a police officer employed by the Tacoma Police Department at all relevant times.

The Defendant, PIERCE COUNTY, is a municipal corporation organized and existing under the laws of the State of Washington.

The Defendant, PIERCE COUNTY MEDICAL EXAMINER'S OFFICE, is a division of Pierce County.

The Defendant, DETECTIVE JENNIFER QUILIO, is an employee of the Tacoma Police Department.

Defendants DOES 1-10, inclusive, are individuals and entities whose identities and involvement in this matter are presently unknown to Plaintiff. Upon information and belief, each of these Defendants is responsible in some manner for the events and happenings herein referred to and caused injuries and damages proximately thereby to the Plaintiff as herein alleged.

Jurisdiction and venue are proper in Pierce County, Washington, because the acts and omissions giving rise to this claim occurred in Pierce County, and all Defendants reside in Pierce County.

STATUTORY PREREQUISITES

Plaintiff filed a complaint against the Defendants Tacoma Police Department and Pierce County Medical Examiner on or around April 10, 2023.

STATEMENT OF FACTS

On or about June 6, 2020, Ms. Nelson's son, AJ, was shot and killed in Tacoma, Washington. The Tacoma Police Department and the Pierce County Medical Examiner's office did not treat Ms. Nelson or her family with respect during this investigation. They grossly failed in their duty to respect and protect human dignity and maintain and uphold the human rights of all persons.

On June 6, 2020, Plaintiff woke up around 7:30 am and discovered that her son, AJ, did not come home the night before. Ms. Nelson's daughter Altriana James (AJ's big sister) began to receive text messages and see posts on Facebook that AJ was dead. Ms. Nelson was never officially notified by law enforcement that her son had died.

In a quest for information, Ms. Nelson and her daughter visited the crime scene at 54th and Washington Street in Tacoma, where they interacted with multiple officers from the Tacoma Police Department. The officers were generally unhelpful, dismissive, and one officer physically assaulted Ms. Nelson and threatened her with arrest.

A plainclothes officer and a detective, Jennifer Quilio, eventually intervened, releasing Ms. Nelson but providing minimal information about her son's fate. Ms. Nelson was told that she would not be able to obtain information from the Pierce County Medical Examiner's office as it was closed to the public.

1 Despite Ms. Nelson's best efforts to identify her son through the Medical Examiner's
2 office, she was met with continued dismissals and opaque processes, which delayed the
3 confirmation of AJ's identity for four days after his death.

4 In a heartrending twist, before the confirmation of AJ's identity, Ms. Nelson received a
5 text from an organization associated with the Pierce County Medical Examiner asking for her
6 son's organs, even though she had yet to officially learn of his death.

7
8 Detective Quilio provided limited and inconsistent information and denied providing the
9 name and contact details of the Chief of Police when requested by Ms. Nelson. Because of these
10 interactions, Ms. Nelson felt that she could not safely communicate with the police department
11 without legal representation.

12 AJ's body was released to a mortician, Coretta Scott, without any paperwork on June 11,
13 2020. The lack of paperwork prevented AJ's body from being present at his own memorial
14 service, causing additional distress to Ms. Nelson and her family.

15
16 To date, Ms. Nelson has many unanswered questions regarding the circumstances of her
17 son's death and the subsequent investigation. Ms. Nelson's interaction with the Tacoma Police
18 Department and the Pierce County Medical Examiner's office has left her traumatized,
19 distrustful of law enforcement, and she has since developed Post Traumatic Stress Disorder
20 (PTSD).

**CAUSES OF ACTION
(Against all Defendants)**

**FIRST CAUSE OF ACTION
42 U.S.C. § 1983 – Violation of Civil Rights**

In committing the acts alleged herein, Defendants, and each of them, acted under color of state law and in their capacity as law enforcement officers.

**SECOND CAUSE OF ACTION
Violation of the Fourteenth Amendment – Due Process**

Plaintiff realleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

Defendants, individually and collectively, violated Ms. Nelson's Fourteenth Amendment rights under the U.S. Constitution to Due Process when they failed to provide her with adequate and timely information about her son's death, engaged in improper and disrespectful conduct, and were indifferent to her needs and rights as a grieving mother.

**THIRD CAUSE OF ACTION
Assault and Battery – RCW 9A.36.031**

Plaintiff realleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

Defendant Officer John Doe physically grabbed Ms. Nelson and slammed her against a fence without justification, constituting assault and battery. This action was performed with intent, was harmful and offensive, and caused Ms. Nelson to fear for her safety.

FOURTH CAUSE OF ACTION
Negligence – RCW 68.50.300

Plaintiff realleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

Defendants, individually and collectively, breached their duty of care to Ms. Nelson by failing to provide accurate, timely, and respectful communication regarding her son's death, by handling the investigation improperly, and by failing to appropriately interact with Ms. Nelson.

FIFTH CAUSE OF ACTION
Intentional Infliction of Emotional Distress – WPI 14.03 Tort of Outrage

Plaintiff realleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

Defendants' actions, including physical assault, intimidation, and the lack of timely, accurate, and respectful communication about AJ's death, were outrageous and extreme, going beyond all possible bounds of decency, and are regarded as atrocious and intolerable in a civilized community. These actions were intentional and recklessly indifferent, causing severe emotional distress to Ms. Nelson, and resulting in PTSD.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

1. An award of compensatory damages for emotional distress in an amount to be determined at trial for all causes of action;
2. An award of punitive damages, as allowed by law, in an amount to be determined at trial for all causes of action;
3. An award of reasonable attorneys' fees and costs;
4. Pre- and post-judgment interest as allowed by law;
5. A declaratory judgment stating that the actions of the Defendants were unconstitutional and violated Ms. Nelson's rights; and
6. Any further and additional relief that the court shall deem to be just and equitable.

DATED this 5th day of June 2023.

/s/Vicky J Currie
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